



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/584,966	06/02/2000	Kiyofumi Tsuruta	1614.1057	5257

21171 7590 11/13/2003

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

BLACKWELL, JAMES H

ART UNIT	PAPER NUMBER
----------	--------------

2176

DATE MAILED: 11/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/584,966

Applicant(s)

TSURUTA, KIYOFUMI

Examiner

James H Blackwell

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06/02/2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ikeda (U.S. Patent No. 5,938,727).

Regarding independent Claim 1 (and similarly to independent Claim 4), Ikeda teaches converting a Uniform Resource Locator (URL) to a barcode on a printed medium such as a newspaper or magazine (Col. 3, lines 20-23; Col. 4, lines 28-33; compare to Claim 1 (and similarly to Claim 4), “... **converting primary data of the additional material into secondary data in the form of codes for high-density display;**”). Ikeda also teaches a URL and a barcode representation of the same URL are placed side-by-side within a printed medium such as a newspaper or a magazine insert (Col. 4, lines 28-39; compare to Claim 1 (and similarly to Claim 4), “... **performing an allocating operation for the direct-reading material and the additional material in accordance with a type space corresponding to the secondary data**”). It is noted that Ikeda fails to teach an allocating operation. However, it would have been obvious to one of ordinary skill at the time of invention to modify Ikeda to have placed the printed material and the coded material on the page so that both would have fit providing the benefit of allocating space for both.

Regarding dependent Claims 2 (and similarly to dependent Claim 5), Ikeda teaches a URL in the form of a barcode that when scanned leads the reader to a web site that is related to the printed medium to which the URL is associated (Col. 4, lines 28-39; compare to Claim 2 (and similarly to Claim 5; “... ***the allocating operation performing step includes the step of linking the direct-reading material designated by a user and the related additional material***”).

Regarding independent Claim 3 (and similarly to independent Claims 6-8), Ikeda teaches in Fig. 2 a flowchart for converting a barcode read by a scanner to a Uniform Resource Locator (URL) and a procedure having browser software access a homepage (Col. 4, lines 63-67; compare to Claim 3 (and similarly to Claims 6-8), “... ***converting positional information of an area in which the non-allocated material is separately stored into printing data that can be read by a reading device***” . Ikeda fails to teach converting points of a non-allocated material designated by a user into directly readable printing data. However, it would have been obvious to one of ordinary skill in the art at the time of invention to similarly scan the points of the non-allocated material with a scanner providing the benefit of enabling one of ordinary skill in the art at the time of invention to read the points of the non-allocated material. Ikeda teaches placement on a printed page of a barcode representing a URL that points to the details of additional information not available for printing in the article or ad (Col. 5, lines 1-8; compare to

Claim 3 (and similarly to Claims 6-8), “... ***allocating the points of the non-allocated material and the positional information***”.

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gerety et al.	U.S. Patent No. 6,560,741	issued	05-2003
Shirakawa	U.S. Patent No. 5,926,825	issued	06-1999
Stork et al.	U.S. Patent No. 5,781,914	issued	07-1998
Gormish et al.	U.S. Patent No. 5,337,362	issued	08-1994
Wang	U.S. Patent No. 5,113,445	issued	05-1992

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H Blackwell whose telephone number is 703-305-0940. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on 703-305-9792. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Application/Control Number: 09/584,966
Art Unit: 2176

Page 5

JHB


JOSEPH H. FEILD
PRIMARY EXAMINER